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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

HAMILTON EQUITIES COMPANY, HAMILTON
EQUITIES, INC., ROBERT NOVA, SUZAN CHAIT-
GRANDT, MACRON & COWHEY, P.C., and JOHN
MACRON,

Interpleading Plaintiffs,

v.

BERKADIA COMMERCIAL MORTGAGE, LLC and the
UNITED STATES DEPARTMENT OF HOUSING AND
URBAN DEVELOPMENT,

Interpleaded Defendants.

No. 12 Civ. 4916 (JGK)

NOTICE OF MOTION

PLEASE TAKE NOTICE that upon the accompanying memorandum of law dated December 21, 2012, Defendant the United States Department of Housing and Urban Development, by its attorney Preet Bharara, United States Attorney for the Southern District of New York, hereby moves this Court, before the Honorable John G. Koeltl, United States District Judge, in the United States Courthouse, 500 Pearl Street, New York, New York, for dismissal of the Amended Interpleader Complaint as to Defendant the United States Department of Housing and Urban Development pursuant to Rule 12(b)(1) or, in the alternative, Rule 12(b)(6) of the Federal Rules of Civil Procedure.

Dated: New York, New York
December 21, 2012

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